

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name:	City of Billings Inner Belt Loop Roadway
Proposed Implementation Date:	Summer 2022
Proponent:	City of Billings
Location:	Section 14, Township 1 North, Range 25 East (Common Schools) Section 22, Township 1 North, Range 25 East (Common Schools)
County:	Yellowstone County

I. TYPE AND PURPOSE OF ACTION

The Proponent, the City of Billings, has developed a project to construct the Northwest Billings Connector road system, more widely known as the Inner Belt Loop. The proponent is proposing and applying for two road easements as part of this project that will encumber the following two sections of State Trust land in Yellowstone County:

Section 14, Township 1 North, Range 25 East: New easement encompassing ± 8.988 acres

Section 22, Township 1 North, Range 25 East: New easement encompassing ± 11.716 acres

The Inner Belt Loop project is a five-mile stretch of new two-lane rural roadway accompanied by a detached multi-use trail. The City has applied for enough right-of-way so that when traffic warrants and additional two lanes can be constructed so that the ultimate road profile would contain two travel lanes in each direction. It will create a new connection between the Heights and West End of the Billings Metropolitan area, with an eastern terminus of Alkali Creek Road/Skyway Drive and a western terminus at the roundabout at Highway 3/Zimmerman Trail (see Exhibit 'A'). The City of Billings has proposed this new route to help alleviate traffic congestion in a constrained intersection area due to the surrounding topographical limitations.

The State of Montana has previously granted a right-of-way on Section 22, 1N, 26E, underneath Deed #14544, to the City of Billings in 2013 for the construction of the above-mentioned Skyway Drive that created a new connection between West Wicks Lane and Alkali Creek Road. The two new easements will continue construction of this connector westwardly.

The City of Billings was granted a BUILD grant in Fiscal Year 2020 for the sum of approximately \$11.6 million to design and fund the project. The City will be providing approximately \$7 million in local funds generated from arterial and gas tax funds. To meet Federal obligations and be able to access the federal funding, the City of Billings is required to obtain legal right-of-way agreements with all the affected property owners by June of 2022.

The City of Billings conducted a Planning Study in 2006 that examined alternate routes for the Inner Belt Loop in northwest Billings. The current alignment is the preferred alignment from that study based on multiple factors that drive road design and location. The DNRC Southern Land Office participated in this study and advocated for the road to be located on these two parcels of Trust land. Section 14 is landlocked and Section 22 has limited permissive access from Rehberg Ranch and Livestock. This new road will provide opportunity for higher real estate uses on the parcels, public access and will likely result in their price appreciation being on a new road that connects to the Billings Heights and west end.

II. PROJECT DEVELOPMENT

1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED:

Provide a brief chronology of the scoping and ongoing involvement for this project.

The City of Billings has completed an Environmental Impact Study and Environmental assessment in accordance with requirements under the National Environmental Protection Agency (NEPA). Along with of the NEPA regulations the City of Billings completed a public scoping period. No formal public scoping was performed by DNRC for this proposed project.

The City of Billings and DNRC Southern Land Office have been working to secure Lessee Settlements from the two grazing lessees. The SLO has been the main conduit with the City to insure that impacts from the new road to our lessees are mitigated.

2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED:

Montana Department of Transportation Categorical Exclusion (CE) Document
Stormwater Pollution Prevention Plan (SWPPP)
Sage Grouse Consultation Document
Army Corp of Engineers Section 404 Permit

3. ALTERNATIVES CONSIDERED:

Proposed Alternative: Approve and issue an easement on Section 14, Township 1 North, Range 25 East encompassing ± 8.988 -acres. Additionally, approve and issue an easement on Section 22, Township 1 North, Range 25 East encompassing ± 11.616 -acres. Granting these easements will allow the City of Billings to construct the Northwest Billings Connector, known as the Inner Belt Loop to interconnect parts of the city.

No Action Alternative: Deny the easement request on Section 14, Township 1 North, Range 25 East encompassing ± 8.988 -acres. Additionally, deny the easement request on Section 22, Township 1 North, Range 25 East encompassing ± 11.616 -acres. The City of Billings will need to redesign the proposed Inner Belt Loop route to circumvent State Trust Land.

III. IMPACTS ON THE PHYSICAL ENVIRONMENT

- *RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.*
- *Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.*
- *Enter "NONE" if no impacts are identified or the resource is not present.*

4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:

Consider the presence of fragile, compactable or unstable soils. Identify unusual geologic features. Specify any special reclamation considerations. Identify any cumulative impacts to soils.

The land classification is considered a mix of Great Plains Sand Prairie and Great Plains Mixedgrass Prairie. The soil composition of the general area is comprised of sandy loam soil variations. The soils can be relatively thin in the proposed area. The proposed roads will cause some significant compaction along the route but will not have a negative effect upon the land outside of the road system.

The routes proposed in the by the City of Billings fall within the greater Billings, MT urban area and are within the City Annexation Petition Area. There are established and paved city/county/state roads that tie into the beginning and end points of the proposed roadway. The City of Billings will be following state BMP (Best Management Practices) for the design and construction requirements of the roadway.

The proposed action will have no significant long-term adverse impacts to geology and soil quality, stability.

5. WATER QUALITY, QUANTITY AND DISTRIBUTION:

Identify important surface or groundwater resources. Consider the potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality. Identify cumulative effects to water resources.

The proposed easement does not cross or disturb any major bodies of water. There will be a need to cross seasonally intermittent streams. The proposed design will install culverts and other water mitigation materials to allow for a natural flow of water during water events for both environmental and safety applications. Two wetlands were delineated adjacent to the proposed projects. Unavoidable wetland impacts will be less than ± 0.09 -acres. No significant adverse impacts to water quality, quantity or distribution are anticipated by implementing the proposed action.

6. AIR QUALITY:

What pollutants or particulate would be produced? Identify air quality regulations or zones (e.g. Class I air shed) the project would influence. Identify cumulative effects to air quality.

The area falls within the greater Billings, MT urban area. There are established and paved city/county/state roads with moderate to high traffic that tie in the beginning and end points of the proposed roadway right-of-way. With the existing traffic, there already exists air and noise pollution in the area. Based on traffic modeling, the proposed action will not significantly increase traffic volume but will instead reroute existing traffic onto the new Inner Belt Loop road from existing roads. The city/county have completed air quality studies and part of this corridor study in the past for pollution levels and the addition of these reciprocal roads will not meaningfully increase the pollution levels. No significant adverse impacts to air quality are expected by implementing the proposed action.

7. VEGETATION COVER, QUANTITY AND QUALITY:

What changes would the action cause to vegetative communities? Consider rare plants or cover types that would be affected. Identify cumulative effects to vegetation.

The land classification is considered a mix of Great Plains Sand Prairie and Great Plains Mixedgrass Prairie. Grasses in these classifications typically comprise the greatest canopy cover. Wheatgrass and Needle and thread are the most dominant species in these classifications.

There will be impacts to vegetative coverage in the proposed road right-of-way. The establishment of a paved roadway will cause some significant compaction along the road route but will not have a negative effect upon the land outside of the designated road system and right-of-way. Upon completion of the construction phase, the City of Billings plans to seed and revegetate the impacted area with a native seed blend and will monitor for invasive weeds.

No significant long-term adverse impacts to vegetative cover, quantity or quality are expected as a result of implementing the proposed alternative.

8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:

Consider substantial habitat values and use of the area by wildlife, birds or fish. Identify cumulative effects to fish and wildlife.

A variety of big game (mainly antelope and deer), small mammals, raptors, songbirds and turkeys may traverse the subject sections. The proposed project could displace wildlife movement and patterns during construction but remain in the geographical area. The road will bifurcate these sections of state land and the corridor may shift animal movement patterns but will not limit animal migration patterns. Due to the wider surrounding area already having established human impact in the form of residential subdivisions, the addition of the road

easements will not significantly disrupt the animal behavior of the area. The impact will be minimal and no significant adverse impacts to terrestrial, avian, and aquatic life and habitats are expected to occur as a result of implementing the proposed alternative.

9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:

Consider any federally listed threatened or endangered species or habitat identified in the project area. Determine effects to wetlands. Consider Sensitive Species or Species of special concern. Identify cumulative effects to these species and their habitat.

A search of the Montana Natural Heritage Program database indicated the following species of concern have been observed with the general area:

- **Townsend's Big-eared Bat** (*Corynorhinus townsendii*); **Long-eared Myotis** (*Myotis evotis*); **Spotted Bat** (*Euderma maculatum*)
- **Western Milksnake** (*Lampropeltis gentilis*); **Plains Hog-nosed Snake** (*Heterodon nasicus*); **Greater Short-horned Lizard** (*Phrynosoma hernandesi*)
- **Pinyon Jay** (*Gymnorhinus cyanocephalus*); **Burrowing Owl** (*Athene cunicularia*); **Brewer's Sparrow** (*Spizella breweri*); **Greater Sage-Grouse** (*Centrocercus urophasianus*); **Cassin's Finch** (*Haemorhous cassinii*); **Peregrine Falcon** (*Falco peregrinus*)
- **Black-tailed Prairie Dog** (*Cynomys ludovicianus*)

The area falls with the General Sage Grouse General Habitat and the proponent will complete and submit a consultation through the Sage Grouse Program.

While these species may be present in the general project area, no direct or lasting impacts are expected to sensitive species. The surrounding area is a mixture of established, developed parcels and ranch land. The new road is expected to attract new development and continue the urbanization of this part of Billings.

Due to the proposed action, granting road easements, it is not expected to have any significant long-term effect on any of the species identified on or around this parcel. The surface disturbance will only be impacted in the designated road right-of-way.

10. HISTORICAL AND ARCHAEOLOGICAL SITES:

Identify and determine effects to historical, archaeological or paleontological resources.

The following cultural and paleontological surveys have been previously performed:

Section 14-T1N-R25E: 2005-5-12: 2005 – None identified.

Section 22-T1N-R25E: 2005-5-12: 2005 – None identified.

Two surveys have been completed; however, no cultural or archaeological materials have been discovered.

A Class III (literature review, pedestrian inventory, and ground penetrating radar study) level review was conducted by BLM archaeologists for the area of potential effect (APE). No evidence of cultural or paleontological resources were identified in the APE. No additional archaeological investigative work will be conducted in response to this proposed development. However, if previously unknown cultural or paleontological materials are identified during project related activities, all work will cease until a professional assessment of such resources can be made.

The proposed project will have *No Effect* to *Antiquities* as defined under the Montana State Antiquities Act. Formal reports of findings are available through the DNRC and the Montana State Historic Preservation Officer.

11. AESTHETICS:

Determine if the project is located on a prominent topographic feature or may be visible from populated or scenic areas. What level of noise, light or visual change would be produced? Identify cumulative effects to aesthetics.

The proposed action would allow of the construction of a two-lane roadway system within the granted 90' wide right-of-way. The newly constructed roadway will be able to be seen from a variety of different locations. The granting of the right-of-way will grant access through State Trust Lands previously landlocked by private ownership and will see an increase in traffic through these sections. In addition, the right-of-way obtained would allow for future expansion of the road to consist of a four lane roadway with two lanes of travel in each direction.

Upon completion of the construction, the immediate area outside of the roadway will be revegetated with a native grass seed mix and sprayed for noxious weeds.

12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:

Determine the amount of limited resources the project would require. Identify other activities nearby that the project would affect. Identify cumulative effects to environmental resources.

No significant adverse impacts to environmental resources of land, water, air or energy are expected to occur as a result of implementing the proposed alternative.

13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA:

List other studies, plans or projects on this tract. Determine cumulative impacts likely to occur as a result of current private, state or federal actions in the analysis area, and from future proposed state actions in the analysis area that are under MEPA review (scoped) or permitting review by any state agency.

The State is currently finalizing an easement package with Rehberg Ranch and Livestock and Rehberg Ranch Estates to exchange corner crossings on Section 22, Township 1 North, Ranger 25 East. The granting of the corner crossing exchange will have no bearing on the location of the proposed alternative in this package.

There are no other known studies or future actions planned for this Trust land parcel.

IV. IMPACTS ON THE HUMAN POPULATION

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| <ul style="list-style-type: none">• <i>RESOURCES potentially impacted are listed on the form, followed by common issues that would be considered.</i>• <i>Explain POTENTIAL IMPACTS AND MITIGATIONS following each resource heading.</i>• <i>Enter "NONE" If no impacts are identified or the resource is not present.</i> |
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14. HUMAN HEALTH AND SAFETY:

Identify any health and safety risks posed by the project.

The proposed alternative will interconnect the Billings Westend to the Billings Heights. This will allow for a more efficient route to portions in the Heights and allow for better emergency response. No significant adverse impacts to human health and safety would occur as a result of implementing the proposed alternative.

15. INDUSTRIAL, COMMERCIAL AND AGRICULTURE ACTIVITIES AND PRODUCTION:

Identify how the project would add to or alter these activities.

The surrounding area has seen previous development. By accepting and granting the proposed rights-of-ways, the State would have legal public access to the sections in the proposed alternative. There could be future projects to develop both State sections and private lands along the proposed roadway. Depending on zoning regulations there could be potential for commercial development as well as easier access for grazing lessees. However, no significant adverse impacts to industrial, commercial, and agricultural activities and production would occur as a result of implementing the proposed alternative.

16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:

Estimate the number of jobs the project would create, move or eliminate. Identify cumulative effects to the employment market.

The proposed project is likely to have minor and short-term beneficial impact on the local economy and income. Construction of the project may result in direct and indirect temporary employment opportunities. The proposed action is not expected to have any significant long term impact on the quantity and distribution of employment.

17. LOCAL AND STATE TAX BASE AND TAX REVENUES:

Estimate tax revenue the project would create or eliminate. Identify cumulative effects to taxes and revenue.

The proposed project is likely to have minor and short-term beneficial impact on the local economy and income during construction. The project would construct a major arterial roadway that provides the necessary connection to respond to and facilitate organized growth that is expected to occur in the project area and alleviate traffic congestion. The proposed action will have no adverse impact on tax revenue and has potential to increase future tax base due to new development that is facilitated by the new road, along with the potential extension of city services by the City of Billings.

18. DEMAND FOR GOVERNMENT SERVICES:

Estimate increases in traffic and changes to traffic patterns. What changes would be needed to fire protection, police, schools, etc.? Identify cumulative effects of this and other projects on government services

The proposed alternative will interconnect the Billings Westend to the Billings Heights. This will allow for a more efficient route to portions in the Heights, such as emergency response vehicles. The implementation of the proposed alternative will not generate any significant additional demands on governmental services.

19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:

List State, County, City, USFS, BLM, Tribal, and other zoning or management plans, and identify how they would affect this project.

Implementation of the proposed alternative will not conflict with any locally adopted plans. Any further development of the State or private land would require review additional local government review.

20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:

Identify any wilderness or recreational areas nearby or access routes through this tract. Determine the effects of the project on recreational potential within the tract. Identify cumulative effects to recreational and wilderness activities.

The proposed action will provide road access to two sections of State Land. Section 14 is currently landlocked, while Section 22 has permissive access from Rehberg Land and Livestock. This will allow for recreationist to access these sections for all acceptable forms of public recreation. It is not expected to cause any significant adverse long-term impacts to access and quality of recreation and wilderness activities.

21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING:

Estimate population changes and additional housing the project would require. Identify cumulative effects to population and housing.

The sections of State land in the proposed alternative fall within the greater Billings, MT urban area and are within the City Annexation Petition Area. Approval of the easements could facilitate development on both the private and state lands, with the ultimate density being determined by zoning changes approved by the city or county. In addition, there is potential for both sections to ultimately be served by city water and sewer which would increase the potential density if they are developed. However, no significant short-term impacts to density and distribution of population and housing would occur as a result of implementing the proposed alternative on state lands at this time.

22. SOCIAL STRUCTURES AND MORES:

Identify potential disruption of native or traditional lifestyles or communities.

There are no native, unique or traditional lifestyles or communities in the vicinity that would be impacted by the proposed alternative.

23. CULTURAL UNIQUENESS AND DIVERSITY:

How would the action affect any unique quality of the area?

Implementation of the Proposed Alternative is not expected to have a significant adverse impact on cultural uniqueness or diversity.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:

Estimate the return to the trust. Include appropriate economic analysis. Identify potential future uses for the analysis area other than existing management. Identify cumulative economic and social effects likely to occur as a result of the proposed action.

The Common Schools Trust Permanent Fund will benefit by getting the following fees:

Section 14, Township 1 North, Range 25 East: New easement encompassing ±8.988 acres @ \$5,000/acre: **\$44,940.00**

Section 22, Township 1 North, Range 25 East: New easement encompassing ±11.716 acres @ \$5,500/acre: **\$64,438.00**

The total the Public Lands Trust would benefit is: **\$109,378.00**

EA Checklist Prepared By:	Name: Joe Holzwarth	Date: 12 May 2022
	Title: Area Planner	

V. FINDING

25. ALTERNATIVE SELECTED:

The proposed alternative has been selected and it is recommended that the proposed easements be granted to the City of Billings to construct the Inner Belt Loop Roadway project in Sections 14 and 22 of Township 1 North, Range 25 East in Yellowstone County. The project will allow the proponent to develop a road system to meet city growth and expansion. In addition, the project will provide for future potential revenue generation for the Common Schools Trust with the construction of a new major arterial street.

26. SIGNIFICANCE OF POTENTIAL IMPACTS:

The potential for significant adverse impacts to the Trust lands listed above are minimal due to the nature of the proposed action which entails granting easements for a road interconnection. All the parcels involved are located within the City Annexation Petition Area and have future potential development. The proposed easements would provide for improved access for landlocked state sections in addition to providing some flexibility in future development and revenue generation. There are no natural features that could produce adverse impacts or species of concern occupying the parcels that are expected to be impacted by implementing the proposed action.

The granting of easements upon these tracts of state trust land should not result in nor cause significant adverse environmental impacts. The anticipated environmental impacts have been identified and mitigation measures addressed in the environmental analysis checklist as well as site specific right of way easement terms and stipulations. The proposed action satisfies the trusts fiduciary mandate and ensures the long-term productivity of the land. An environmental assessment checklist is the appropriate level of analysis for the proposed action.

27. NEED FOR FURTHER ENVIRONMENTAL ANALYSIS:

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EIS

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More Detailed EA

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No Further Analysis

EA Checklist Approved By:	Name: Jeff Bollman
	Title: SLO Area Manager
Signature: Jeff Bollman	Date: 12 May 2022

EXHIBIT 'A' – Proposed Inner Belt Loop Route

